

Our Docket No: 42390P12322

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#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Bottom et al.

Examiner: Not Yet Assigned

Application No: 09/966,830

Art Unit: 2152

Filed: September 28, 2001

For: A Modular Server Architecture With
High-Availability Management
Capability

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, the references listed on the enclosed Form PTO-1449 are submitted for consideration by the Examiner in the examination of the above-identified patent application.

The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form PTO-1449, thereby indicating the Examiner's consideration of each of the references.

The submission of the references listed on the Form PTO-1449 is for the purpose of providing a complete record and is not a concession that the references listed thereon are prior art to the invention claimed in the patent application. The right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art should it be deemed appropriate to do so.

Further, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

FIRST CLASS CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231 on.

February 13, 2002

(Date of Deposit)

Krista Mathieson

(Typed or printed name of person mailing correspondence)

Krista Mathieson 2/13/2002

(Signature of person mailing correspondence)

Docket No.: 42390P12322
Application No.: 09/966,830

The Information Disclosure Statement is being filed:

- ☒ (a) within three months of the filing date of the patent application, (b) within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 of the international application, or (c) before the mailing date of a first Office Action on the merits, or (d) before the mailing date of a First Office Action after the filing of a request for continued examination under § 1.114.
- ☐ **after** (a), (b), (c) or (d) above, but before the mailing date of a final action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, and includes:
- ☐ the Certification under 37 C.F.R. § 1.97(e) (see "Certification" below).
- ☐ the fee of \$180 set forth in 37 C.F.R. § 1.17(p) (see "Fees" below).
- ☐ **after** the mailing date of a final action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, and includes the Certification under 37 C.F.R. § 1.97(e) (see "Certification" below), a Petition requesting consideration of the Information Disclosure Statement (see "Petition" below), and the Petition Fee set forth in 37 C.F.R. § 1.17(i) (see "Fees" below).

Copies Of The References

- ☒ Copies of certain references listed on the enclosed Form PTO-1449 are enclosed herewith. Attached to each reference not in the English language is a concise explanation of the relevance pursuant to 37 C.F.R. § 1.98(a)(3).
- ☐ A copy of the foreign search report is enclosed herewith.
- ☐ All references listed on the enclosed Form PTO-1449 were previously identified in the parent application of the present application, and copies of the references were furnished at that time. Accordingly, additional copies of the references are not submitted herewith, so as not to burden the file with duplicate copies of references. The Examiner is respectfully requested to carefully review the references in accordance with the requirements set out in the Manual of Patent Examining Procedure. In accordance with 37 C.F.R. § 1.98(d), the details of the parent application(s) relied upon for an earlier filing date under 35 U.S.C. § 120 in which copies of the references were previously furnished are set out below:

U.S. APPLICATIONS		Status (<i>check one</i>)		
U.S. APPLICATIONS	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
1.				
2.				
3.				

Other Applications

☒ The Examiner's attention is directed to the following U.S. patent application(s):

U.S. APPLICATIONS		Status (<i>check one</i>)		
U.S. APPLICATIONS	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
09/888,918	June 25, 2001		X	
60/273,742	March 5, 2001		X	

Certification

- ☐ The **undersigned attorney** hereby certifies that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.
- ☐ The **undersigned attorney** hereby certifies that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application or, to the knowledge of the attorney signing after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Petition

- ☐ The undersigned attorney hereby petitions the Commissioner to consider this Information Disclosure Statement and the references listed on the enclosed Form PTO-1449 in the examination of the above-identified patent application.

Fees

- ☒ No fee is owed by the applicant(s).
- ☐ The **IDS Fee of \$180.00** under 37 C.F.R. § 1.17(p) is enclosed herewith.
- ☐ The **Petition Fee of \$130.00** set forth in 37 C.F.R. § 1.17(i) is enclosed herewith.

Method Of Payment Of Fees

- ☐ Attached is a check in the amount of \$ 180.00
- ☐ Charge Deposit Account No. 02-2666 in the amount of \$. (A duplicate copy of this communication is enclosed for that purpose.)

Authorization To Charge Additional Fees

- ☒ If any additional fees are owed in connection with this communication, please charge Deposit Account No. 02-2666. (A duplicate copy of this communication is enclosed for that purpose.)

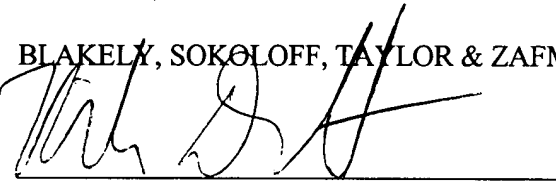
Instructions As To Overpayment

- ☒ Credit Account No. 02-2666.
☐ Refund

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 02/13/02


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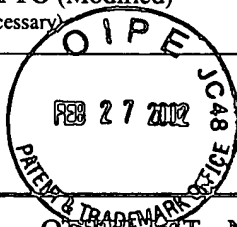
Institute for Form 1449A/PTO (Modified)
(use as many sheets as necessary)

Attorney Docket No.:
42390P12322

Application Number:
09/966,830

First Named Inventor:
Bottom et al.

Filing Date:
September 28, 2001



OTHER PART - NO PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	Translation ²
		GoAhead PRODUCTS. Webpage [online]. GoAhead Software, Inc. [retrieved on January 8, 2002] Retrieved on the Internet: <URL: http://www.goahead.com/products/products.htm . Pages 1-2.	
		GoAhead Service Availability™ Forum WebPage [online]. GoAhead Software, Inc. [retrieved on January 8, 2002] Retrieved from the Internet: <URL: http://www.goahead.com/sr/sravailability.htm . Pages 1-2.	
		GoAhead Self Reliant, SelfReliant Overview. WebPage [online]. GoAhead Software, Inc. [retrieved on January 8, 2002] Retrieved from the Internet: <URL: http://www.goahead.com/sr/srover.htm . Page 1.	
		GoAhead Self Reliant, SelfReliant Features. WebPage [online]. GoAhead Software, Inc. [retrieved on January 8, 2002] Retrieved from the Internet: <URL: http://www.goahead.com/sr/srfeatures.htm . Pages 1-2.	
		GoAhead Self Reliant, SelfReliant™ Functions. WebPage [online]. GoAhead Software, Inc. [retrieved on January 8, 2002] Retrieved from the Internet: <URL: http://www.goahead.com/sr/srfunctions.htm . Pages 1-2.	
		GoAhead Self Reliant, SelfReliant Benefits. WebPage [online]. GoAhead Software, Inc. [retrieved on January 8, 2002] Retrieved from the Internet: <URL: http://www.goahead.com/sr/srbenefits.htm . Pages 1-2.	
		"What is Service Availability™ Solution"? Service Availability Forum. GoAhead Software, Inc. White Paper. Pages 1-10.	
		"High Availability and More: Achieving a Service Availability™ Solution". GoAhead Software, Inc. White Paper. Pages 1-13.	
		GoAhead Self Reliant ⁷⁵⁰⁰ . Service Availability™ software for telecommunications networks. GoAhead Software, Inc. Datasheet. Pages 1-4.	
		GoAhead Self Reliant ⁷⁵⁰⁰ , Development Kit. GoAhead Software, Inc. Datasheet. Pages 1-2.	

Examiner Signature		Date Considered	
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Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance. If not considered. Include copy of this form with next communication.

1. See citation designation number. ²Applicant is to place a check mark here if English language Translation is attached.

1 Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Arlington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Arlington, DC 20231.